

Josue Romero,

Plaintiff,

V.

Henke Machine, et al.,

Defendants.

Plaintiff's Statement of Facts fails to comply with Local Rule 56.1, which requires that the party opposing a motion for summary judgment to set forth, "for each paragraph of the moving party's separate statement of facts, a correspondingly numbered paragraph indicating whether the party disputes the statement of fact set forth in that paragraph and a reference to the specific admissible portion of the record supporting the party's position if the fact is disputed." LRCiv 56.1(b). An opposing party's failure to set forth the separate statement of facts in this manner requires that the moving party's statement of facts be deemed admitted for purposes of a motion for summary judgment. LRCiv 56.1(b)(2).

1 Plaintiff's Statement of Facts does not follow the required format. Rather, Plaintiff
2 states at the outset that "Plaintiff hereby either objects, disagrees, disputes, or holds that
3 Defendant Ruiz' (*sic*) Statement of Facts, No(s) 16, 20-47 are inaccurate, conclusary (*sic*)
4 statements or opinions." (Dkt. 104.) As such, Plaintiff's Statement of Facts prevents the
5 Court from determining whether and why any genuine issues of material fact exist in this
6 matter. The Court will therefore order Plaintiff to file an amended Statement of Facts,
7 this time in accordance with the requirements of Local Rule 56.1. Accordingly,

8 **IT IS HEREBY ORDERED** directing Plaintiff Josue Romero to file within ten
9 (10) days of the date of this Order an amended Statement of Facts that complies with
10 Local Rule 56.1.

11 DATED this 10th day of April, 2008.

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16 Stephen M. McNamee
17 United States District Judge
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